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**APR 04 2006**

# TOTAL PETROCHEMICALS

**Legal Department  
1201 Louisiana, Suite 1800  
PO Box 674411  
Houston, TX 77002**

**To:** Mail Stop Petition  
Commissioner for Patents

**From:** Shirley A. Kopecky

**Fax:** 571-273-8300

**Phone: 713-483-5386**

**Pages:** 10 Including cover sheet

**Fax:** 713-483-5384

## Phones

**Date:** 4/4/2006

**Re:** Serial No.: 10/625,711  
Attorney Docket: COS-933

**CC:**

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

In re Application of: Patrick Noll, et al.

Serial No.: 10/625,711

**Confirmation No.: 8121**

Filed: July 22, 2003

### For. Process For Preparing Polyethylene

Group Art Unit: 1713

Examiner: TESKIN, Fred M.

**Customer No. 25264**

Attorney Docket No. COS-933

In connection with the above-identified application, Applicants respectfully submit the following documents:

- 1) Consent of Assignee to Correction and/or Addition to Original Named Inventor(s);
- 2) Petition For Correction of Inventorship of an Application Under 37 C.F.R. §1.48(a);
- 3) Verified Statement in Support of Petition for Correction of Inventorship Under 37 C.F.R. §1.48(a);
- 4) Declarations of Noll and Nguyen; and
- 5) Fee Transmittal and Processing Fee for Petition for Correction of Inventorship.

THIS FACSIMILE TRANSMISSION MAY CONTAIN INFORMATION WHICH IS PRIVILEGED, OR OTHERWISE CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, USE OR DISSEMINATION OF THIS INFORMATION IS IMPROPER AND PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, KINDLY CALL THE SENDER TO ARRANGE FOR ITS RETURN.

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Penamark Reduction Act of 1995, no names are required to appear in a collection of information unless it also has a valid OMB control number

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number 10/625,711 Filing Date July 22, 2003 First Named Inventor Patrick Noll Examiner Name TESKIN, Fred M. Art Unit 1713 Attorney Docket No. COS-933	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 130.00			

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**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 03-3345 Deposit Account Name: Fina Technology, Inc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 HP = highest number of total claims paid for, if greater than 20.  
 Indep. Claims - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

**4. OTHER FEE(S)**

Description	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Processing Fee \$1.17(n) for Petition for Correction of Inventorship	130.00

**SUBMITTED BY**

Signature	Registration No. 48,480	Telephone 713-483-5386
Name (Print/Type) Shirley A. Kopecny	(Attorney/Agent)	Date April 4, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Patrick Noll, et al. §

Serial No.: 10/625,711 §

Confirmation No.: 8121 §

Filed: July 22, 2003 §

For: Process For Preparing  
Polyethylene §

§ Group Art Unit: 1713

§ Examiner: TESKIN, Fred M.

§ Customer No. 25264

§ Attorney Docket No. COS-933

§

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Honorable Commissioner:

## CERTIFICATE OF FACSIMILE

37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to the fax number indicated by the named Examiner, namely, 571-273-8300, to the attention of the named Examiner, on the date below.

April 4, 2006  
Date[Signature]  
SignatureCONSENT OF ASSIGNEE TO CORRECTION AND/OR  
ADDITION TO ORIGINAL NAMED INVENTOR(S)

Fina Technology, Inc., having authority to act as Assignee in U.S. Patent Application Serial No. 10/625,711 as a result of an Assignment recorded on July 22, 2003, Reel No. 014323, Frame No. 0988, hereby consents to the correction of inventorship filed herewith.

March 27, 2006

Date

[Signature]

By: Robert D. Kilpatrick

Title: Vice President

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Patrick Noll, et al.

Serial No.: 10/625,711

Confirmation No.: 8121

Filed: July 22, 2003

For: Process For Preparing  
Polyethylene§  
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Group Art Unit: 1713

Examiner: TESKIN, Fred M.

Customer No. 25264

Attorney Docket No. COS-933

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**CERTIFICATE OF FACSIMILE**

37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to the fax number indicated by the named Examiner, namely, 571-273-8300, to the attention of the named Examiner, on the date below.

April 4, 2006  
DateEdwin Barnett  
Signature**PETITION FOR CORRECTION OF INVENTORSHIP  
OF AN APPLICATION UNDER 37 C.F.R. §1.48(a)**

This is a Petition for correction of an error in a non-joinder of inventor Thanh Nguyen in the above referenced patent application. Applicant(s) respectfully request that the United States Patent and Trademark Office amend the application to include Patrick Noll and Thanh Nguyen as joint inventor(s). The omission of such inventor from the original declaration was inadvertent and occurred without deceptive intent.

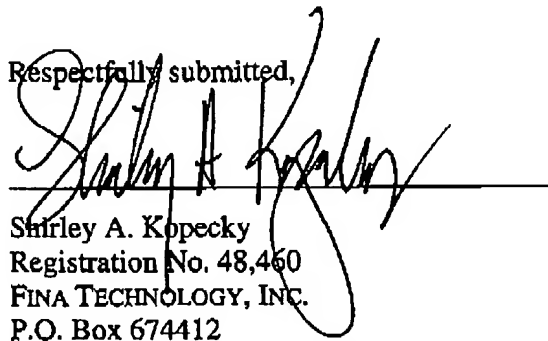
Attached is a statement verified by the omitted inventor establishing that the omission occurred without deceptive intent. Also enclosed is a declaration executed by each actual inventor as required by 37 C.F.R. §1.63 and a written consent of the Assignee.

04/05/2006 MBINAS 00000037 033345 10625711  
01 FC:1008 130.00 DA

The Commissioner is hereby authorized to charge the processing fee of \$130.00 set forth in §1.17(i) for this petition, along with any additional fees that may be required, or to credit any overpayment to Account No. 03-3345.

April 4, 2006

Respectfully submitted,



Shirley A. Kopecky  
Registration No. 48,460  
FINA TECHNOLOGY, INC.  
P.O. Box 674412  
Houston, Texas, 77267-4412  
Telephone: 713-483-5386  
Facsimile: 713-483-5384  
Attorney for Applicant(s)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Patrick Noll, et al.

**Serial No.: 10/625,711**

Confirmation No.: 8121

**Filed: July 22, 2003**

For: Process For Preparing Polyethylene

[illegible]

Group Art Unit: 1713

Examiner: TESKIN, Fred M.

Customer No. 25264

Attorney Docket No. COS-933

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APR 04 2006

**Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Honorable Commissioner:

**CERTIFICATE OF FACSIMILE**  
**37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to the fax number indicated by the named Examiner, namely, 703-571-8300, to the attention of the named Examiner, on the date below.

April 4, 2004  
Date

  
Signature

**VERIFIED STATEMENT IN SUPPORT OF PETITION FOR  
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

I, Thanh Nguyen, the omitted inventor of United States Patent Application Serial No. 10/625,711, verify as follows in support of the petition for correction of inventorship:

that the error in inventorship occurred without deceptive intent on my part;

that all statements made herein of my own knowledge are true;

**that all statements made on information and belief are believed to be true;**

that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

3-27-2006  
Date

Thanh Nguyen  
Thanh Nguyen

PATENT APPLICATION  
No. 10/625,711  
Docket No.: COS-933

### **DECLARATION**

As below named inventors, we, **PATRICK NOLL AND THANH NGUYEN** hereby declare that:

Our residences, mailing addresses and citizenships are as stated below next to our names.

We believe we are an original, first and joint inventor of the subject matter which is described and claimed and for which a patent is sought on the invention, design or discovery entitled: entitled "**Process For Preparing Polyethylene**", the specification of which was filed as U.S. Patent Application Serial No. 10/625,711 on **July 22, 2003**.

We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before our invention or discovery thereof, or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by our or my legal representatives or assigns.

We acknowledge our duty to disclose information of which we are aware which is material to patentability in accordance with 37 C.F.R. Section 1.56(a).

**Please direct correspondence and telephone calls to:**

**David Alexander  
Fina Technology, Inc.  
P.O. Box 674412  
Houston, TX 77267-4412  
(713) 483-5379**

## Declaration

Docket No. COS-933

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1) Full name of first inventor Patrick Noll  
First Middle Last

First inventor's signature Patrick Noll Date 3/23/06

Residence Address: 8300 FM 1960 E. #2305, Humble, Texas 77346 Citizenship: US

2) Full name of second inventor Thanh Nguyen  
First Middle Last

Second inventor's signature: \_\_\_\_\_ Date \_\_\_\_\_

Residence Address: 1027 Cardinal Avenue, Sugar Land, Texas 77478 Citizenship: US



PATENT APPLICATION  
No. 10/625,711  
Docket No.: COS-933

### **DECLARATION**

As below named inventors, we, **PATRICK NOLL AND THANH NGUYEN** hereby declare that:

Our residences, mailing addresses and citizenships are as stated below next to our names.

We believe we are an original, first and joint inventor of the subject matter which is described and claimed and for which a patent is sought on the invention, design or discovery entitled: entitled "**Process For Preparing Polyethylene**", the specification of which was filed as U.S. Patent Application **Serial No. 10/625,711** on **July 22, 2003**.

We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before our invention or discovery thereof, or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by our or my legal representatives or assigns.

We acknowledge our duty to disclose information of which we are aware which is material to patentability in accordance with 37 C.F.R. Section 1.56(a).

**Please direct correspondence and telephone calls to:**

**David Alexander**  
**Fina Technology, Inc.**  
**P.O. Box 674412**  
**Houston, TX 77267-4412**  
**(713) 483-5379**

## Declaration

Docket No. COS-933

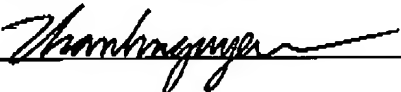
We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1) Full name of first inventor Patrick Noll  
First Middle Last

First inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Address: 8300 FM 1960 E. #2305, Humble, Texas 77346 Citizenship: US

2) Full name of second inventor Thanh Nguyen  
First Middle Last

Second inventor's signature:  Date 2-28-06

Residence Address: 1027 Cardinal Avenue, Sugar Land, Texas 77478 Citizenship: US